



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,705	10/17/2003	Yuuji Sawanaga	243643US-2TTC	8805
22850 7590 02/18/2011 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER NGUYEN, TRAN N				
ART UNIT 3626		PAPER NUMBER		
NOTIFICATION DATE 02/18/2011		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

DETAILED ACTION

Response to Amendment

Applicant's amendment is hereby denied entry because the proposed amendment requires further search and consideration to properly address the new scope, and because the amendment does not place the claims in condition for allowance based on informalities.

Conclusion

In view of the totality of the evidence, the finality of the previous Office Action is hereby maintained.

In the interest of compact prosecution for Applicant, Examiner hereby provides the following suggestion to properly place the application in condition for allowance.

Claims 1, 33-34, 36-37 recite similar limitations, as acknowledged by Applicant in the Remarks filed 01/13/2011 (page 17):

Independent Claims 31 and 33-38 recite substantially similar features as Claim 1.

Examiner will address claim 1 as being representative.

Claim 1 recites:

a comparison unit configured to compare the expectancy value to the first threshold value and compare the expectancy value to the second threshold value; and

The limitations "the first threshold value" and "the second threshold value" lack proper antecedent basis because these values have not been previously introduced in the claim scope.

To properly overcome this rejection, Applicant is suggested to amend these limitations to refer to the previously introduced "first predetermined threshold level" and "second predetermined threshold level".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran (Ken) N. Nguyen whose telephone number is 571-270-1310. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:00 pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Morgan can be reached on 571-272-6773. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TN/

Examiner, Art Unit 3626

02/13/2011

/C. Luke Gilligan/

Primary Examiner, Art Unit 3626